



I hereby certify that this paper (along with any paper referred to as being attached hereto or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 4, 2008

Signature:

(William A. Di Biase)

**EXPEDITED PROCEDURE**

Group Art Unit: 3738

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON III

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	:
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Errico et al.	:
	:
Application No.: 10/663,488	: Group Art Unit: 3738
	:
	:
	:
Filed: September 16, 2003	: Examiner: B. E.
	: Pellegrino
	:
	:
For: INTERVERTEBRAL SPACER DEVICE	:
HAVING AN ENGAGEMENT HOLE FOR	
MANIPULATION USING ASURGICAL	
TOOL	

**AMENDMENT UNDER 37 CFR 1.116**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated March 4, 2008, finally rejecting claims 1-3, 5-9, 11-13 and 15, please amend the above-identified U.S. patent application as follows: